

1 EDMUND G. BROWN JR., Attorney General  
of the State of California  
2 ROBERT McKIM BELL  
Supervising Deputy Attorney General  
3 COLLEEN M. MvGURRIN, State Bar No. 147250  
Deputy Attorney General  
4 300 South Spring Street, Suite 1702  
Los Angeles, California 90013  
5 Telephone: (213) 620-2511  
Facsimile: (213) 897-9395

6 Attorneys for Complainant

7  
8 **BEFORE THE**  
**PHYSICAL THERAPY BOARD OF CALIFORNIA**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 1D 2007 64946

11 AZITA YAZDANI

OAH No. L-2007110617

12 1870 Park Newport, # 314  
13 Newport Beach, CA 92660

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

14 Physical Therapist No. PT 28345

15 Respondent.

16  
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
18 proceeding that the following matters are true:

19 PARTIES

20 1. Steven K. Hartzell (Complainant) is the Executive Officer of the Physical  
21 Therapy Board of California (Board). He brought this action solely in his official capacity and is  
22 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,  
23 by Colleen M. McGurrin, Deputy Attorney General.

24 2. Azita Yazdani (Respondent) is representing herself in this proceeding and  
25 has chosen not to exercise her right to be represented by counsel. Respondent has had the  
26 opportunity to seek the advise of counsel and have counsel review the Stipulated Surrender of  
27 License and Order prior to its execution.

28 3. On or about May 28, 2003, the Physical Therapy Board of California

1 issued Physical Therapist No. PT 28345 to Azita Yazdani (Respondent). The was in full force  
2 and effect at all times relevant to the charges brought in Accusation No. 1D 2007 64946 and will  
3 expire on August 31, 2008, unless renewed.

#### 4 JURISDICTION

5 4. Accusation No. 1D 2007 64946 was filed before the Board of California  
6 (Board), Department of Consumer Affairs, and is currently pending against Respondent. The  
7 Accusation and all other statutorily required documents were properly served on Respondent on  
8 October 16, 2007, and October 31, 2007. Respondent timely filed her Notice of Defense  
9 contesting the Accusation. A copy of Accusation No. 1D 2007 64946 is attached as Exhibit A  
10 and incorporated herein by reference.

#### 11 ADVISEMENT AND WAIVERS

12 5. Respondent has carefully read, and understands the charges and allegations  
13 in Accusation No. 1D 2007 64946. Respondent also has carefully read, and understands the  
14 effects of this Stipulated Surrender of License and Order.

15 6. Respondent is fully aware of her legal rights in this matter, including the  
16 right to a hearing on the charges and allegations in the Accusation; the right to be represented by  
17 counsel, at her own expense; the right to confront and cross-examine the witnesses against her;  
18 the right to present evidence and to testify on her own behalf; the right to the issuance of  
19 subpoenas to compel the attendance of witnesses and the production of documents; the right to  
20 reconsideration and court review of an adverse decision; and all other rights accorded by the  
21 California Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up  
23 each and every right set forth above.

#### 24 CULPABILITY

25 8. Respondent admits the truth of each and every charge and allegation in  
26 Accusation No. 1D 2007 64946, which were caused by mental illness, and agrees that cause  
27 exists for discipline and hereby surrenders her Physical Therapist No. PT 28345 for the Board's  
28 formal acceptance.

9. Respondent understands that by signing this stipulation she enables the Board to issue an order accepting the surrender of her Physical Therapist without further process.

## CONTINGENCY

10. This stipulation shall be subject to approval by the Physical Therapy Board of California. Respondent understands and agrees that counsel for Complainant and the staff of the Physical Therapy Board of California may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

## ORDER

IT IS HEREBY ORDERED that Physical Therapist No. PT 28345, issued to Respondent Azita Yazdani is surrendered and accepted by the Physical Therapy Board of California.

13. The surrender of Respondent's Physical Therapist license and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent and shall have the effect of license revocation. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

14. Respondent shall lose all rights and privileges as a Physical Therapist in



1 California as of the effective date of the Board's Decision and Order.

2 15. Respondent shall cause to be delivered to the Board both her wall and  
3 pocket license certificate on or before the effective date of the Decision and Order.

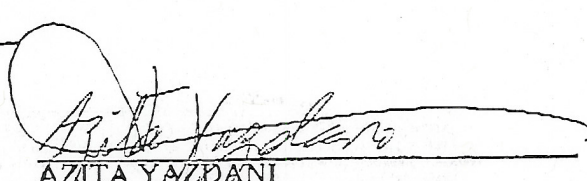
4 16. Respondent fully understands and agrees that if she ever files an  
5 application for licensure or a petition for reinstatement in the State of California, the Board shall  
6 treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations  
7 and procedures for reinstatement of a revoked license in effect at the time the petition is filed,  
8 and all of the charges and allegations contained in Accusation No. 1D 2007 64946 shall be  
9 deemed to be true, correct and admitted by Respondent when the Board determines whether to  
10 grant or deny the petition. Pursuant to Business and Professions Code section 2661.7, subsection  
11 (c), Respondent may petition the Board for reinstatement within one year of the effective date of  
12 this Stipulated Surrender and Order.

13 17. Should Respondent ever apply or reapply for a new license or certification,  
14 or petition for reinstatement of a license, by any other health care licensing agency in the State of  
15 California, all of the charges and allegations contained in Accusation, No. 1D 2007 64946 shall  
16 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of  
17 Issues or any other proceeding seeking to deny or restrict licensure.

18 ACCEPTANCE

19 I have carefully read the Stipulated Surrender of License and Order. I have had  
20 the opportunity to seek legal counsel and advice prior to executing the Stipulated Surrender of  
21 License and Order. I understand the Stipulation Surrender and the effect it will have on my  
22 Physical Therapist license. I enter into this Stipulated Surrender of License and Order  
23 voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the  
24 Physical Therapy Board of California.

25 DATED: 4/1/08

26   
27 AZITA YAZDANI  
28 Respondent

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28


ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Physical Therapy Board of California of the Department of Consumer Affairs.

DATED: April 1, 2008

EDMUND G. BROWN JR., Attorney General  
of the State of California

ROBERT McKIM BELL  
Supervising Deputy Attorney General

  
COLLEEN M. McGURRIN  
Deputy Attorney General

Attorneys for Complainant

DOJ Matter ID: LA2007502864  
50243070.wpd